

United States District Court

10-470
FLCourt
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SOUTHERN

DISTRICT OF

FLORIDA

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

YIANNIS DIASYNOS.

(Name and Address of Defendant)

CASE NUMBER: 00-4232-BSS

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 21, 2000, in Broward County in the

Southern District of Florida the defendant did knowingly and willfully make a false statement in an application for a passport with the intent to induce and secure the issuance of a passport under the authority of the United States, for his own use, contrary to the laws regulating the issuance of passports and the rules proscribed pursuant to such laws, in that the defendant stated in said application that he was a United States citizen born in New York, when in truth and in fact, as the defendant then and there well knew, he was not a United States Citizen and was not born in the United States,

in violation of Title 18 United States Code, Section 1542

I further state that I am a Special Agent, State Dept. and that this complaint is based on the following facts:

Please see attached affidavit.

Continued on the attached and made a part hereof: Yes No


Signature of Complainant
MARTIN O'TOOLE, Special Agent
State Department

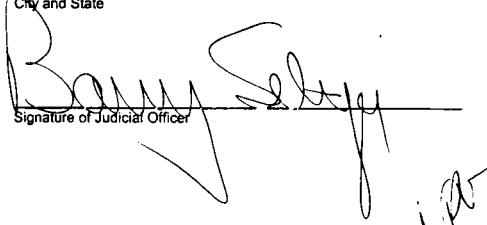
Sworn to before me, and subscribed in my presence,

October 4, 2000

Date

at Fort Lauderdale, Florida

City and State


BARRY S. SELTZER
UNITED STATES MAGISTRATE JUDGE

Name and Title of Judicial Officer

Signature of Judicial Officer

AFFIDAVIT

Before me, the undersigned personally appeared Martin O'Toole, who being duly sworn, deposes and states:

1. I am employed as a Special Agent with the Diplomatic Security Service, United States Department of State and have been so employed since June, 1999. My responsibilities include conducting investigations into criminal violations of the laws governing the issuances of U.S. Passports and other travel documents used to transit international borders. Prior to my employment with the Diplomatic Security Service, I was a sworn law enforcement officer with the United States Department of Justice, Immigration and Naturalization Service for two years. I make this affidavit based on my knowledge and upon information and documents furnished to me in my official capacity. Because this affidavit is submitted for a limited purpose, I have not included details of every aspect of this investigation.

2. On January 21, 2000, a male purporting to be Yiannis DIASYNOS applied for a United States Passport at the Tamarac, Florida City Hall. This individual executed a United States Passport Application, form DSP-11, listing his name as Yiannis DIASYNOS, and his date of birth as March 23, 1957. To substantiate the information on his passport application, the applicant presented a Florida Drivers' License in the name of Yiannis DIASYNOS, number D252-960-57-103-0, along with a New York Certificate of Live Birth, File Number 896, issued 4/4/1957.

3. On January 31, 2000, the Miami Passport Agency Fraud Coordinator reviewed the application, and the application was referred to Diplomatic Security Service.

4. In March of 2000, record checks of New York Department of Health's database revealed that there was no record of birth for Yiannis DIASYNOS born on March 23, 1957.

5. On October 3, 2000, DIASYNOS was located at a hotel in Pompano Beach, Florida.

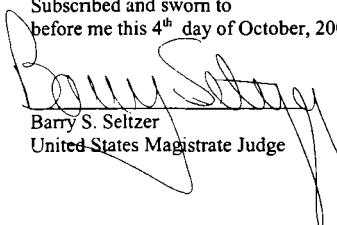
Upon the investigators identifying themselves as law enforcement officers, DIASYNOS fled on foot. After a short pursuit, he was captured and placed under arrest. DIASYNOS was advised of his constitutional rights per Miranda and waived same. Post Miranda, he admitted that he was in fact born in Greece. DIASYNOS had in his possession the same Florida Drivers' License that was used in the application for his passport.

6. In view of the foregoing, I respectfully submit that there is probable cause to believe that on January 21, 2000, in the Southern District of Florida, Yiannis DIASYNOS did make false statements in an application for a United States Passport, in violation of Title 18, United States Code, Section 1542.

FURTHER YOUR AFFIANT SAITH NOT.


Martin O'Toole
Special Agent
United States Department of State

Subscribed and sworn to
before me this 4th day of October, 2000.


Barry S. Seltzer
United States Magistrate Judge